1					L.D. 1832			
2	Date:				(Filing No. H-)			
3	ENVIRONMENT AND NATURAL RESOURCES							
4	Reproduced and distributed under the direction of the Clerk of the House.							
5	STATE OF MAINE							
6	HOUSE OF REPRESENTATIVES							
7	129TH LEGISLATURE							
8	SECOND REGULAR SESSION							
9 10 11 12	Ensure Adequate I Waste Discharge Li	Funding for t icensing Prog	the Maine Po gram"	llutant Discharge El	332, Bill, "An Act To imination System and lause and inserting the			
12	following:	by surking (Jut everything	after the chaeting e	lause and inserting the			
14 15	'Sec. 1. 38 MRSA §353-B, sub-§2, ¶A, as corrected by RR 2011, c. 2, §43, is amended to read:							
16 17	A. The fees for by a factor of 1			groups are the 2019	bill amounts increased			
18 19 20 21	Discharge group		Basis for annual fee	Median fee for discharge group	Water quality improvement surcharge			
22 23 24 25 26 27 28	Publicly owned treatment facilities, 10,000 gallons per day or less	annual fee	2011 2019 bill amount	\$306 - <u>\$543</u>				
29 30 31 32 33 34 35 36	Publicly owned treatment facilities, more than 10,000 gallons per day to 0.1 million gallons per day	annual fee	2011 2019 bill amount	\$400 - <u>\$689</u>				

Page 1 - 129LR2404(02)-1

1				
2	Publicly	annual fee	•	\$617- <u>\$1,063</u>
3	owned		2009, 2010	
4	treatment		and 2011	
5	facilities, more		<u>2019</u> bill	
6	than 0.1		amounts	
7	million gallons		<u>amount</u>	
8	per day to 1.0			
9	million gallons			
10	per day			
11				
12	Publicly	annual fee	-	\$1,300- <u>\$2,241</u>
13	owned		2009, 2010	
14	treatment		and 2011	
15	facilities, more		<u>2019</u> bill	
16	than 1.0		amounts	
17	million gallons		<u>amount</u>	
18	per day to 5.0			
19	million gallons			
20	per day			
21	~			
22	Publicly	annual fee	Average of	\$4,553 - <u>\$7,850</u>
	•		•	φ 1,555 $\underline{\varphi}$ 1,650
23	owned		2009, 2010	φ1,000 <u>φ1,000</u>
23 24	owned treatment		2009, 2010 and 2011	\$1,555 <u>\$1,555</u>
23 24 25	owned treatment facilities,		2009, 2010 and 2011 2019 bill	φ1,000 <u>φ1,000</u>
23 24 25 26	owned treatment facilities, greater than 5		2009, 2010 and 2011 2019 bill amounts	Ψ <u>1,000</u>
23 24 25 26 27	owned treatment facilities, greater than 5 million gallons		2009, 2010 and 2011 2019 bill	Ψ <u>1,000</u>
23 24 25 26 27 28	owned treatment facilities, greater than 5 million gallons per day or with		2009, 2010 and 2011 2019 bill amounts	Ψ1,000 <u>Ψ1,000</u>
23 24 25 26 27 28 29	owned treatment facilities, greater than 5 million gallons per day or with significant		2009, 2010 and 2011 2019 bill amounts	Ψ <u>1,000</u>
23 24 25 26 27 28 29 30	owned treatment facilities, greater than 5 million gallons per day or with significant industrial		2009, 2010 and 2011 2019 bill amounts	Ψ1,000 <u>Ψ1,000</u>
23 24 25 26 27 28 29 30 31	owned treatment facilities, greater than 5 million gallons per day or with significant		2009, 2010 and 2011 2019 bill amounts	Ψ1,000 <u>Ψ1,000</u>
23 24 25 26 27 28 29 30 31 32	owned treatment facilities, greater than 5 million gallons per day or with significant industrial waste		2009, 2010 and 2011 2019 bill amounts amount	
23 24 25 26 27 28 29 30 31 32 33	owned treatment facilities, greater than 5 million gallons per day or with significant industrial waste Major	annual fee	2009, 2010 and 2011 2019 bill amounts amount Average of	
23 24 25 26 27 28 29 30 31 32 33 34	owned treatment facilities, greater than 5 million gallons per day or with significant industrial waste Major industrial		2009, 2010 and 2011 2019 bill amounts amount Average of 2009, 2010	
23 24 25 26 27 28 29 30 31 32 33 34 35	owned treatment facilities, greater than 5 million gallons per day or with significant industrial waste Major industrial facility,		2009, 2010 and 2011 2019 bill amounts amount Average of 2009, 2010 and 2011	
23 24 25 26 27 28 29 30 31 32 33 34 35 36	owned treatment facilities, greater than 5 million gallons per day or with significant industrial waste Major industrial facility, process		2009, 2010 and 2011 2019 bill amounts amount Average of 2009, 2010 and 2011 2019 bill	
23 24 25 26 27 28 29 30 31 32 33 34 35 36 37	owned treatment facilities, greater than 5 million gallons per day or with significant industrial waste Major industrial facility, process wastewater		2009, 2010 and 2011 2019 bill amounts amount Average of 2009, 2010 and 2011 2019 bill amounts	
23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38	owned treatment facilities, greater than 5 million gallons per day or with significant industrial waste Major industrial facility, process wastewater (based on EPA		2009, 2010 and 2011 2019 bill amounts amount Average of 2009, 2010 and 2011 2019 bill	
23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39	owned treatment facilities, greater than 5 million gallons per day or with significant industrial waste Major industrial facility, process wastewater (based on EPA list of major		2009, 2010 and 2011 2019 bill amounts amount Average of 2009, 2010 and 2011 2019 bill amounts	
23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40	owned treatment facilities, greater than 5 million gallons per day or with significant industrial waste Major industrial facility, process wastewater (based on EPA list of major source		2009, 2010 and 2011 2019 bill amounts amount Average of 2009, 2010 and 2011 2019 bill amounts	
23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39	owned treatment facilities, greater than 5 million gallons per day or with significant industrial waste Major industrial facility, process wastewater (based on EPA list of major		2009, 2010 and 2011 2019 bill amounts amount Average of 2009, 2010 and 2011 2019 bill amounts	

Page 2 - 129LR2404(02)-1

1 2 3 4 5	Other industrial facility, process wastewater	annual fee	2011 2019 bill amount	<u>\$1,214 <u>\$2,093</u></u>
6 7 8 9 10	Food handling or packaging wastewater	annual fee	2011 2019 bill amount	\$659 - <u>\$1,135</u>
10 11 12 13 14 15	Fish-rearing facility 0.1 million gallons per day or less	annual fee	2011 2019 bill amount	\$312 - <u>\$538</u>
16 17 18 19 20	Fish-rearing facility over 0.1 million gallons per day	annual fee	2011 2019 bill amount	\$79 4- <u>\$1,368</u>
20 21 22 23 24	Marine aquaculture facility	annual fee	2011 2019 bill amount	\$308 <u>\$529</u>
25 26 27	Noncontact cooling water	annual fee	2011 2019 bill amount	\$192 - <u>\$330</u>
28 29 30 31 32 33 34 35 26	Industrial or commercial sources, miscellaneous or incidental nonprocess wastewater	annual fee	2011 2019 bill amount	\$363 - <u>\$626</u>
36 37 38 39 40 41	Municipal combined sewer overflow	annual fee	2011 2019 bill amount	\$413- <u>\$711</u>

Page 3 - 129LR2404(02)-1

1 2 3 4 5	Sanitary wastewater, excluding overboard discharge	annual fee	2011 2019 bill amount	\$736 - <u>\$1,268</u>	
6 7 8 9 10 11 12	Sanitary overboard discharge, commercial sources	annual fee	2011 bill amount	\$446	\$75
12 13 14 15 16 17 18 19 20	Sanitary overboard discharge, residential sources 600 gallons per day or less	annual fee	2011 bill amount	\$231	\$75
20 21 22 23 24 25 26 27 28	Sanitary overboard discharge, residential sources more than 600 gallons per day	annual fee	2011 bill amount	\$313	\$75
29 30 31 32 33	Sanitary overboard discharge, public sources	annual fee	2011 bill amount	\$315	\$75
34 35 36 37	Aquatic pesticide application	annual fee	2011 2019 bill amount	\$6 44- <u>\$1,110</u>	
38 39 40 41	Snow dumps	annual fee	2011 2019 bill amount	\$319 <u>\$550</u>	

Page 4 - 129LR2404(02)-1

1 2 3 4	Salt and sand storage pile	annual fee	2011 2019 bill amount	\$429- <u>\$738</u>
5 6 7 8	Log storage permit	annual fee	2011 2019 bill amount	\$422 - <u>\$727</u>
9 10 11 12 13 14 15 16	General permit coverage for industrial storm water discharges (except construction)	annual fee	2011 2019 bill amount	\$300- <u>\$588</u>
17 18 19 20 21 22	General permit coverage for marine aquaculture facility	annual fee	2011 2019 bill amount	\$13 4- <u>\$230</u>
23 24 25 26	General permit coverage (other)	annual fee	2011 2019 bill amount	<u>\$164- <u>\$283</u></u>
20 27 28 29 30	Experimental discharge license	license fee	2011 2019 bill amount	\$899- <u>\$1,550</u>
31 32 33 34 35 36 37	New or amended mixing zone, in addition to other applicable fees	flat fee	\$5,368 <u>\$9,254</u>	
38 39 40 41	Formation of sanitary district	flat fee	<u>\$402- <u>\$693</u></u>	

Page 5 - 129LR2404(02)-1

1Transfer of
license forflat fee\$100-\$140---2license for3residential or4commercial5sanitary6wastewater

On an annual basis, municipalities and publicly owned treatment works whose combined sewer overflows have the potential to affect shellfish harvesting areas as determined by the department by virtue of their locations within estuarine or marine waters of the State must be assessed a surcharge on their wastewater discharge licenses in a total amount of \$12,000. This amount must be allocated among the municipalities and publicly owned treatment works according to their prior 3-year average annual flows as reported to the department.

On an annual basis, publicly owned treatment works whose outfalls licensed for the discharge of treated effluent cause adjacent shellfish growing areas to be closed for the purposes of harvesting shellfish must be assessed a license surcharge in a total amount of \$25,000. This amount must be allocated among the publicly owned treatment works according to the acreage that each licensed outfall closes. This acreage must be determined by the Department of Marine Resources in consultation with the department.

21 Sec. 2. Appropriations and allocations. The following appropriations and allocations are made.

23 ENVIRONMENTAL PROTECTION, DEPARTMENT OF

24 Maine Environmental Protection Fund 0421

36

Initiative: Allocates funds for expenditures associated with license or permit activities such as application reviews, public hearings and appeals, the actual license or permit processing activities and associated post-license or post-permit compliance activities and enforcement activities as a result of license or permit noncompliance.

29		OTHER SPECIAL REVENUE FUNDS	2019-20	2020-21
30		All Other	\$0	\$340,077
31				
32		OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$340,077
33	'			

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

SUMMARY

This amendment is the majority report of the committee. Like the bill, it increases the annual waste discharge license fee for certain categories of existing discharges by 40%; however, unlike the bill, it bases this increase on the 2019 bill amount. Like the

Page 6 - 129LR2404(02)-1

bill, the amendment also increases the annual waste discharge license fee for certain
categories of new discharges by 40%; however, unlike the bill, it bases this increase on
the amount indicated in the Department of Environmental Protection fee schedule
effective November 1, 2019 to October 31, 2020. The amendment also adds an
appropriations and allocations section.

6 FISCAL NOTE REQUIRED 7 (See attached)

Page 7 - 129LR2404(02)-1